

STATE OF CALIFORNIA—RESOURCES AGENCY
STATE WATER RIGHTS BOARD

ORDER

APPLICATION 17933

PERMIT 11624

LICENSE 6302

ORDER ALLOWING CHANGE IN POINT OF DIVERSION, CHANGE
IN CHARACTER OF USE, AND CHANGE IN PLACE OF USE

WHEREAS License 6302 was issued to Livio Stefenoni and was recorded with the County Recorder of Sonoma County on June 5, 1961, at page 436, Book 1827, of the official records, and

WHEREAS said license was subsequently assigned to C. T. & H. Land Company, Incorporated, and

WHEREAS the State Water Rights Board has found that the change in point of diversion, change in character of use, and change in place of use under said license for which petitions were submitted on June 14, 1967, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said changes and has directed that an order be issued to describe said point of diversion, character of use, and place of use in accordance with said petitions;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the point of diversion under said License 6302 to points of diversion described as follows, to wit:

- (1) LICHAU CREEK - SOUTH 200' AND EAST 1466' FROM $W\frac{1}{4}$ CORNER OF SECTION 34, T6N, R7W, MDB&M, BEING WITHIN $NE\frac{1}{4}$ OF $SW\frac{1}{4}$ OF SAID SECTION 34.
- (2) LICHAU CREEK - DUE EAST 3000' FROM $W\frac{1}{4}$ CORNER OF SECTION 34, T6N, R7W, MDB&M, BEING WITHIN $SW\frac{1}{4}$ OF $NE\frac{1}{4}$ OF SAID SECTION 34.
- (3) UNNAMED STREAM - DUE SOUTH 1200' FROM NW CORNER OF SECTION 34, T6N, R7W, MDB&M, BEING WITHIN $NW\frac{1}{4}$ OF $NW\frac{1}{4}$ OF SAID SECTION 34, and

IT IS FURTHER ORDERED that permission be and the same is hereby granted to change the character of use under said License 6302 to a character of use described as follows, to wit:

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 17933

PERMIT 11624

LICENSE 6302

ORDER TO RESCIND REVOCATION ORDER
OF APRIL 12, 1991; DELETE
SOURCE, POINTS OF DIVERSION AND RATE
OF DIVERSION; CORRECT PURPOSE OF USE

WHEREAS:

- 1) License 6302 was issued to Livio Stefenoni of Penngrove, California on June 2, 1961, pursuant to Permit 11624 and was filed with the Sonoma County Recorder on June 5, 1961.
- 2) License 6302 was subsequently assigned to College Park Mutual Water Company, Inc.
- 3) On March 1, 1991, the licensee's agent filed with the State Water Resources Control Board (State Board) the Report of Licensee for 1988, 1989, 1990. On the report, the licensee indicated "The Project has been abandoned, and I request revocation of the license."
- 4) On April 12, 1991, the State Water Resources Control Board issued an Order revoking License 6302.
- 5) Licensee's agent was contacted on April 24, 1991 and conversation was confirmed by letter dated May 3, 1991. The licensee's agent indicated that the request to revoke License 6302 has been made in error and it was requested that April 12, 1991 State Board Revocation Order be rescinded. On April 24, 1991 the licensee's agent also requested the State Board to delete Lichau Creek as the source, Points of Diversion No. 1 and No. 2, direct diversion of 0.130 cubic foot per second and correction of the purpose of use.
- 6) The State Board has determined that said deletions and correction will not initiate a new right nor operate to the injury of any other lawful user of water and that good and sufficient cause has been shown for said deletions and correction.
- 7) The Sonoma County Recorder should be notified of the rescinding action.

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- 8) The State Board's continuing authority condition should be amended to conform to Section 780(a), Title 23, California Code of Regulations.

NOW, THEREFORE, IT IS ORDERED:

- 1) The State Water Resources Control Board hereby rescinds the April 12, 1991 revocation order issued pursuant to License 6302.
- 2) The Sonoma County Recorder shall be notified of the rescinding action.
- 3) The source under this license be amended to read:

Unnamed Stream
- 4) The point of diversion under this license be amended to read:

Due South 1200' from NW corner of Section 34, T6N, R7W, MDB&M, being within NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 34.
- 5) The amount of water under this license be amended to read:

Forty-two (42) acre-feet per annum by storage to be collected from an unnamed stream from about October 1 of each year to about May 31 of the succeeding year.
- 6) The purpose of use under this license be amended to read:

Wildlife preservation and enhancement
- 7) The condition regarding the Board's continuing authority be amended to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

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The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

(0000012)

Dated: **NOVEMBER 14 1991**

Edward C. Anton
for Edward C. Anton, Chief
Division of Water Rights

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STATE WATER RIGHTS BOARD

ORDER

APPLICATION 17933PERMIT 11624LICENSE 6302

IRRIGATION, DOMESTIC, STOCKWATERING, AND RECREATIONAL USES

IT IS FURTHER ORDERED that permission be and the same is hereby granted to change the place of use under said License 6302 to a place of use described as follows, to wit:

RECREATIONAL, DOMESTIC, AND STOCKWATERING USES WITHIN NE¹/₄ OF NE¹/₄ AND SE¹/₄ OF NE¹/₄ OF SECTION 33, NW¹/₄ OF NW¹/₄ AND SW¹/₄ OF NW¹/₄ OF SECTION 34, AND IRRIGATION OF 20 ACRES WITHIN SW¹/₄ OF NW¹/₄ OF SECTION 34, ALL WITHIN T6N, R7W, MDB&M.

Dated: SEP 5 1967

L. K. Hill
L. K. Hill
Executive Officer



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

Notice of Assignment (U.S.)

APPLICATION 17933

PERMIT 11624

LICENSE 6302

THIS IS TO CERTIFY, That

Livio Stefenoni
Roberts Road
P. O. Box 102
Penngrove, California

has made proof as of June 16, 1960,
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
(a) Lichau Creek and (b) an unnamed stream in Sonoma County

tributary to (a) Petaluma Creek and (b) Lichau Creek

for the purpose of irrigation use
under Permit 11624 of the State Water Rights Board and that said right to the use of said water has been
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the
terms of the said permit; that the priority of the right herein confirmed dates from January 6, 1958
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed thirteen hundredths (0.13)
cubic foot per second by direct diversion to be diverted from Lichau Creek from
about March 1 to about June 30 of each year and forty-two (42) acre-feet per annum
by storage to be collected from either or both sources from about October 1 of each
year to about May 31 of the succeeding year.

The points of diversion of such water are located:

- (a) Lichau Creek - South two hundred (200) feet and east one thousand four hundred sixty-six (1466) feet from $W\frac{1}{4}$ corner of Section 34, T6N, R7W, MDB&M, being within $NE\frac{1}{4}$ of $SW\frac{1}{4}$ of said Section 34.
- (b) An unnamed stream - Due south one thousand two hundred (1200) feet from NW corner of Section 34, T6N, R7W, MDB&M, being within $NW\frac{1}{4}$ of $NW\frac{1}{4}$ of said Section 34.

A description of the lands or the place where such water is put to beneficial use is as follows:

20 acres within $SW\frac{1}{4}$ of $NW\frac{1}{4}$ of Section 34, T6N, R7W, MDB&M.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

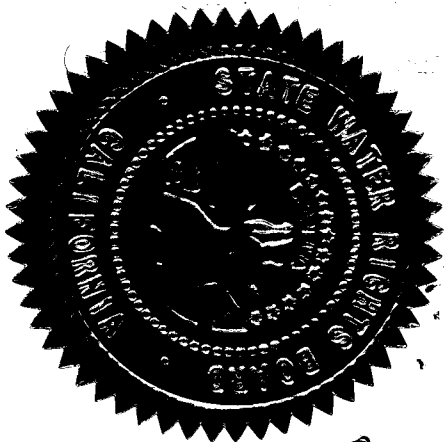
Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code), or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: JUN 2 1961



L. K. Hill
L. K. Hill
Executive Officer

4-18-67 RECEIVED NOTICE OF ASSIGNMENT TO C. J. H.

Land Company, Inc.

3-6-73 RECEIVED NOTICE OF ASSIGNMENT TO College Park
Mutual Water Company, Inc.

LICENSE 6302

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO Livio Stefanoni

DATED JUN 2 1961

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